

**MINUTES OF THE  
STATE ELECTIONS ENFORCEMENT COMMISSION  
REGULAR MEETING  
March 8, 2006**

***I. Call to Order***

Chairman Cashman called the meeting to order at 9:13 A.M. Commissioners Mendoza, Cleary and Jenkins were present. Staff Members present were Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Mathieu, Ms. Andrews, Ms. Haqq, Ms. Kulmacz, Ms. Adams and Ms. Blackburn.

***II. Approval of the Minutes of the February 8, 2006 Special Meeting***

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to approve the minutes of the February 8, 2006 special meeting. So voted.

Mr. Lenge requested that the Commission add to today's agenda in Public Session the Complaint of Troy Foreman, Westbrook, File No. 2005-290.

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary that File No. 2005-290 be added to the agenda. So voted. The items on the agenda are therefore renumbered to reflect the addition of this item.

***III. Pending Complaints and Investigations***

***A. Public Session***

1. In the Matter of a Complaint by Daniel A. Craig, Deep River  
File No. 2005-303  
Proposed Findings and Conclusions  
Investigator: Attorney Marc W. Crayton  
Managing Attorney: Albert P. Lenge

Attorney Crayton explained the above referenced complaint, his investigation and the proposed Findings and Conclusions recommending that the matter be dismissed.

It was moved by Commissioner Mendoza and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2005-303 dismissing the matter for the reasons stated. So voted. The complaint is dismissed. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

2. In the Matter of a Complaint by Nancy DiNardo, Hartford  
File No. 2006-110  
Proposed Findings and Conclusions  
Investigator: Attorney Marc W. Crayton  
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced complaint and the investigation. He further explained the amendment made by the General Assembly in PA 03-223 to provide a 10 day grace period to candidates to comply with the campaign finance committee registration requirements, and the legislative history of this enactment.

It was moved by Commissioner Mendoza and seconded by Commissioner Cleary to adopt the proposed Findings and Conclusions in File No. 2005-110 dismissing the matter for the reasons stated. So voted. The complaint is dismissed. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

3. In the Matter of a Complaint by Troy Foreman, Westbrook  
File No. 2005-290  
Proposed Findings and Conclusions  
Investigator: Attorney Albert P. Lenge

Mr. Lenge explained the above referenced complaint, investigation and proposed Findings and Conclusions recommending the matter be dismissed.

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the proposed Findings and Conclusions in File No. 2005-290 dismissing the matter for the reasons stated. So voted. The complaint is dismissed. A copy of the Findings and Conclusions is attached and incorporated herein as part of these minutes.

*B. Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4)*

It was moved by Commissioner Mendoza and seconded by Commissioner Cleary at 9:41 A.M. to proceed into Executive Session pursuant to C.G.S. 1-200(6)(B) and (E), and 1-210(b)(3) and (4) to discuss strategy and negotiations with respect to pending claims listed as Items 4 through 15 on the agenda. So voted. Present were Commissioners Cashman, Mendoza, Cleary and Jenkins. Staff members present were Messrs. Garfield, Lenge, Smith, Crayton, Ly, Ms. Mathieu, Ms. Andrews, Ms. Haqq, Ms. Kulmacz, Ms. Adams and Ms. Blackburn.

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to return to public session at 10:12 A.M. So voted.

Following a brief recess, the Commission returned to Public Session and took the following action:

4. In the Matter of a Complaint by Kevin Gray, West Haven  
File No. 2005-260  
Investigator: Attorney Joan M. Andrews  
Managing Attorney: Jeffrey B. Garfield  
This matter was continued.
5. In the Matter of a Complaint by Daniel Pullium, Torrington  
File No. 2005-271  
Investigator: Attorney Marc W. Crayton  
Managing Attorney: Albert P. Lenge

It was moved by Commissioner Mendoza and seconded by Commissioner Cleary to adopt the proposed Consent Agreement and Order in File No. 2005-271 as presented. So voted. Respondent Maureen Lammana has paid the civil penalty of \$500 for compliance. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

6. In the Matter of a Complaint by Robert Koskelowski, Seymour  
File No. 2005-280  
Investigator: Attorney Joan M. Andrews  
Managing Attorney: Jeffrey B. Garfield

This matter was continued.

7. In the Matter of Complaint by Karen Mulcahy, Waterbury  
File Nos. 2005-292C  
Investigator: Attorney William B. Smith  
Managing Attorney: Albert P. Lenge

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Consent Agreement and Order in File No. 2005-292C as presented. So voted. Respondent Tamara Zappone has paid the civil penalty of \$400 for compliance. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

8. In the Matter of a Complaint by Madeline R. Schmitt, Shelton  
File No. 2005-296  
Investigator: William B. Smith  
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the proposed Consent Agreement and Order in File No. 2005-296 as presented. So voted. Respondent Irving Steiner has paid the civil penalty of \$100 for compliance. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

9. In the Matter of a Complaint by Patrick O'Sullivan, Town Clerk, Orange  
File No. 2005-298

Investigator: Attorney Marc W. Crayton  
Managing Attorney: Albert P. Lenge

This matter is continued.

10. In the Matter of a Complaint by C. Gardner and M. Reeves, Wilton Registrars of Voters  
File No. 2005-299

Investigator: Attorney William B. Smith  
Managing Attorney: Albert P. Lenge

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Consent Agreement and Order with Respondent Michael Gould in File No. 2005-299 as presented. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

11. In the Matter of a Complaint by August A. Palmer, Oxford  
File No. 2005-305

Investigator: Attorney William B. Smith  
Managing Attorney: Attorney Albert P. Lenge

This matter was continued.

12. In the Matter of a Complaint by Karen Gaudreau, Town Clerk East Windsor  
File No. 205-310

Investigator: Attorney William B. Smith  
Managing Attorney: Albert P. Lenge

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Consent Agreement and Order with Respondent Marilyn S. Rajala in File No. 2005-310 as presented. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes

13. In Re: Solicitation of Contributions to Governor's Campaign Fundraiser  
Request of M. Lisa Moody  
File No. 2005-311

Investigators: Attorney Joan M. Andrews &  
Attorney Marc W. Crayton  
Managing Attorney: Jeffrey B. Garfield

Mr. Garfield stated that there are sixteen separate proposed settlement agreements that if adopted, would conclude the investigation of the above referenced matter. The investigation was related to the distribution of invitations to a fundraising event for the Governor that occurred on December 7, 2005. He commended Attorney Andrews and Attorney Crayton for their

work on the two month investigation. Attorney Andrews and Attorney Crayton interviewed 54 people and received 37 sworn responses to interrogatories drafted to the department heads and deputy department heads concerning the event. Mr. Garfield stated that at the close of the investigation, he asked the Chief States Attorney for an opportunity to review the investigation reports that his office prepared to insure there were no discrepancies or additional information that related to the Commission's investigation of possible violations of CGS 9-333x(11).

Mr. Garfield explained that the sixteen agreements have several things in common. The principal that the distribution of invitations to a subordinate employee is a violation of the CGS §9-333x(11), the statute prohibiting department heads and deputy department heads from soliciting contributions for any candidate. This is the first time since 1983 that the Commission has applied the statute to the facts and circumstances of a particular case. The Commission feels that legislative history and case law support the conclusions. That this was the first case involving the application of the term "solicit" for purposes of the statute was a mitigating factor in the Commission's decision regarding the amount of the penalty. However, the fact that department heads were briefed and received a memo from the Governor's Special Counsel on Ethics was an aggravating circumstance that was also considered. None of the Commissioners or Deputy Commissioners have any prior offenses and no history of past violations of law.

Chairman Cashman stated that all the agreements have minor variations of the same language however, each contains the same Commission's conclusion that the distribution of invitations to subordinate employees violates the solicitation ban. The agreements are fair and send a strong message. Each Respondent has paid \$500 for a total of \$8,000 in civil penalties.

The following Respondents have signed the proposed Settlement Agreements and each have paid \$500 for compliance:

James F. Abromaitis, Commissioner of the Department of Economic and Community Development

Leonard Boyle, Commissioner of the Department of Public Safety

Ralph Carpenter, Commissioner of the Department of Motor Vehicles

Susan Cogswell, Commissioner of the Insurance Department

Robert Galvin, Commissioner of the Department of Public Health

Thomas A. Kirk, Commissioner of the Department of Mental Health and Addiction Services

Stephen E. Korta, II, Commissioner of the Department of Transportation

Pamela Law, Commissioner of the Department of Revenue Services

Regina McCarthy, Commissioner of the Department of Environmental Protection

Peter O'Meara, Commissioner of the Department of Mental Retardation

Linda Schwartz, Commissioner of the Department of Veterans' Affairs

James M. Thomas, Commissioner of the Department of Emergency Management and Homeland Security

Linda J. Yelmini, Commissioner of the Department of Administrative Services

Anne Gnazzo, Deputy Secretary of the Office of Policy and Management

Jerry Farrell, Jr. Deputy Commissioner of the Department of Consumer Protection

Michael Starkowski, Deputy Commissioner of the Department of Social Services

It was moved by Commissioner Jenkins and seconded by Commissioner Cleary to adopt the proposed Settlement Agreements with respect to Respondents referenced above. So voted. Copies of the Settlement Agreements are attached and incorporated herein as part of these minutes.

14. In the Matter of a Complaint by Ron Haskins, North Branford

File No. 2005-329

Investigator: Attorney Marc W. Crayton

Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adopt the both proposed Consent Agreements and Orders in File No. 2005-329 as presented. So voted. Respondent William Bloss has caused the State Senate Committee to forfeit \$500 to the State of Connecticut. Respondent Mukund Nori has paid the civil penalty of \$250 to the State of Connecticut. Copies of the Consent Agreements and Orders are attached and incorporated herein as part of these minutes

15. In the Matter of a Complaint by Leslie Wertam, Town Clerk, Hampton

File No. 2005-330

Investigator: Attorney William B. Smith

Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Jenkins and seconded by Commissioner Mendoza that the Commission take no further action with respect to this matter. The Commission shall send a letter of instruction to Marti Squires pertaining to Connecticut General Statutes §9-333w. So voted,

**IV. Find Reason to Believe Recommendations & Designation of Hearing Officer**

***Referrals by the New Haven City Clerk***

File No. 2006-102NF

Respondent: Johnmark Brown, Treasurer  
Committee to Elect Clarissa Brown  
Investigator: Legal Assistant Bill Powers  
Managing Attorney: Albert P. Lenge  
Recommendation: Find Reason to believe that Respondent Johnmark Brown violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-103NF

Respondent: Beverly Richardson, Treasurer  
Committee to Elect Shirley Ellis-West  
Investigator: Legal Assistant Bill Powers  
Managing Attorney: Albert P. Lenge  
Recommendation: Find Reason to believe that Respondent Beverly Richardson violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-105NF

Respondent: Alexandria Givan, Treasurer  
Friends of Jose Candelario  
Investigator: Legal Assistant Bill Powers  
Managing Attorney: Jeffrey B. Garfield  
Recommendation: Find Reason to believe that Respondent Alexandria Givan violated Connecticut General Statutes §§9-333j and 9-333y.

File No. 2006-106NF

Respondent: Mary F. Desmond, Treasurer  
Friends to Elect Al Ohmen  
Investigator: Legal Assistant Bill Powers  
Managing Attorney: Jeffrey B. Garfield  
Recommendation: Find Reason to believe that Respondent Mary F. Desmond violated Connecticut General Statutes §§9-333j and 9-333y.

It was moved by Commissioner Cleary and seconded by Commissioner Mendoza that the Commission finds reason to believe that the Respondents in File Nos. 2006-102NF, 2006-103NF, 2006-105NF and 2006-106NF violated the Connecticut General Statutes §§9-333j and 9-333y and that a hearing officer be designated for the purpose of conducting hearings for these matters. So voted.

Chairman Cashman designated Attorney Garfield to be Hearing Officer for File Nos. 2006-102NF and 2006-103NF. He designated Attorney Lenge to be Hearing Officer for File Nos. 2006-105NF and 200-106NF.

***IV. Legislative Update***

Mr. Garfield stated that the Commission's budget request has been well received by the Appropriations Committee and the Appropriations sub-committee. He is hopeful that the supplemental funding for the expansion of the Commission will be approved.

Mr. Garfield was pleased to report that Commissioner Cashman's hearing before the Committee on Executive and Legislative Nominations last week went very well, and that his nomination was approved by that committee..

There will be a GAE hearing on March 13 on the campaign finance reform bills to fix some of the provisions that were enacted during the special session. Mr. Garfield will be there to present the Commission's views.

***V. Administrative Progress Reports***

Mr. Garfield stated that they have met with the Department of Public Works about the expansion of the agency. The acquisition of the third floor for the additional staff has been approved. A meeting with the Comptrollers on implementing the public finance program is also scheduled.

***VI. Adjournment***

It was moved by Commissioner Cleary and seconded by Commissioner Jenkins to adjourn the meeting at 10:30 A.M. So voted.

Unless otherwise indicated, all votes of the Commission were unanimous.

***The next regular meeting is scheduled for April 5, 2006 at 9:00 A.M.***

Respectfully submitted,

Lois E. Blackburn  
Clerk of the Commission

Adopted this 19<sup>th</sup> day of April, 2006 at Hartford, Connecticut

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Stephen F. Cashman, Chairman  
By Order of the Commission



